

MONTANA ASSOCIATION OF PLANNERS
Legislative Committee
2013 Legislative Session

Summary comments regarding: SB 41

Senate Local Government Committee; January 16, 2013

- This bill would take away the ability of local governments to consider what is often called "cumulative impacts" when reviewing a proposed subdivision. Cumulative impact refers to an impact that is not necessarily created by the proposed subdivision, but to which the proposed subdivision may contribute.
- MAP is concerned that SB 41 will have unintended consequences that could increase costs to developers. For example, in preparing a traffic impact study (TIS), it is standard professional practice to include a traffic "growth factor" to account for general increases in traffic on the roadway(s) being studied that are attributable to development other than the proposed development being studied. Without the ability to account for this future growth in non-site generated traffic, the subdivider's proportionate share of traffic impacts will be increased, and his development costs will increase accordingly. The same example would apply to basin-wide drainage improvements.
- Wildlife habitat, drainage, and road impacts are areas where it can be vitally important to assess cumulative impacts. Indeed, quantifying cumulative impacts is a vital part of the science and practice of wildlife management, basin-wide stormwater management, and transportation planning.
- Avoiding and/or mitigating cumulative impacts to natural and man-made systems constitute much of what community planning is all about. MAP members have seen first hand that the ability to address and deal effectively with cumulative impacts has served both developers and the public well, and we see no need to take that tool out of the box.